**Proposed Amendment of the *Water Quality Control Plan – Los Angeles Region***
**For Chloride in the Upper Santa Clara River**

**Responsiveness Summary**

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| County Sanitation Districts of Los Angeles County(Cover Letter) | 10/7/02 | …we would like to remind the RWQCB that, in our letter dated August 2, 2002, we requested that the RWQCB provide us with additional information and/or clarification on specific items addressed in the Preliminary Draft Upper Santa Clara River Chloride TMDL…To date, the Districts still have not received all of the requested information. | RWQCB staff provided the information that was relevant to the TMDL as requested by CSDLAC. The information requests in the CSDLAC August 2, 2002 letter were voluminous and open ended. Consequently, RWQCB attempted to work with CSDLAC staff to review RWQCB files in the RWQCB offices. After agreeing to review the files, CSDLAC staff failed to appear at RWQCB offices to review the RWQCB files. |
| County Sanitation Districts of Los Angeles County(Cover Letter) | 10/7/02 | The current chloride objectives lack the requisite sound scientific rationale and appropriate technical basis as mandated by federal regulations. | The chloride objective is based on the original objective set in 1975. A review of the record indicates that the objective was set in accordance with standard scientific methods used at that time to establish water quality objectives. In a meeting with CSDLAC staff in January 2001, CSDLAC consultant acknowledged that the current water quality objective was based on standard scientific protocol. Dr. DiToro recommended additional studies using modern protocol to provide a basis for revising the chloride objective. This TMDL includes provisions for such studies and a reevaluation of the chloride objective. |
| County Sanitation Districts of Los Angeles County(Cover Letter) | 10/7/02 | In order to substantiate the need for the TMDL the RWQCB should have included-but did not- evidence in the record to verify the claim of surface water use for irrigation of avocados in Reach 4 of the Santa Clara River | The need for this TMDL is based on the current water quality data exceeding the chloride objective on a routine basis. Representatives of Camulos Ranch have stated that surface water is diverted for avocado production. |

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| | | Reach 4 of the Santa Clara River. | |
| County Sanitation Districts of Los Angeles County(Cover Letter) | 10/7/02 | The objective of 100mg/L and the TMDL based upon that objective are providing unreasonable protection to limited subcategories of the use. | There is no subcategory of the AGR beneficial use designated in the Basin Plan. The objective is based on protection of the most sensitive beneficial use. This TMDL includes provisions for such studies and a reevaluation of the chloride objective. |
| County Sanitation Districts of Los Angeles County(Cover Letter) | 10/7/02 | The RWQCB failed to comply with the California Environmental Quality Act (CEQA) in issuing this Proposed TMDL, including its fundamental obligations to identify a project's adverse environmental impacts, to mitigate them through adoption of feasible alternatives or mitigation measures, and to justify its action based on specific economic, social or other conditions. | The CEQA checklist addresses the environmental impacts of the TMDL based upon a reasonably foreseeable means for achieving water quality standards. The TMDL does not specify the design, location, type of construction, or particular manner for compliance with the TMDL. In fact. Section 13360 of the California Water Code specifically prohibits the Regional Board from dictating the manner of compliance. Should the discharger(s) choose a structural device or facility to achieve the Waste Load Allocations established in this TMDL, a project-specific CEQA analysis will be required.<br><br>RWQCB's obligation is to identify remedies which are attainable, not to fully characterize any remedy. The Basin Planning process is equivalent to the CEQA process. |
| County Sanitation Districts of Los Angeles County(Cover Letter) | 10/7/02 | The Proposed TMDL is not in conformance with the Clean Water Act since it does not include "seasonal variations" despite the fact that the RWQCB admits in its own Staff Report that "seasonal variations are extensive." | The TMDL is consistent with the requirements of the CWA, see EPA's letter, and provides a plan to attain WQO in an impaired waterbody as per CWA directions.<br><br>Further, the seasonal variations are considered. The critical period for direct diversion to meet |

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| | | | agricultural beneficial use is during low flow and summer, not under all conditions. Evidence of compliance under other seasons is irrelevant to the necessity to protect beneficial uses. |
| County Sanitation Districts of Los Angeles County(Cover Letter) | 10/7/02 | The RWQCB should acknowledge the effect of water importation on chloride and other salts, or it may need to consider regulating the importation of salts into the region either through the adoption of waste discharge requirements (WDRs) or the issuance of NPDES permits. | This TMDL addresses the effect of water importation on chloride during the special studies of this TMDL. |
| County Sanitation Districts of Los Angeles County(Cover Letter) | 10/7/02 | The Districts have estimated that approximately 11% of the residential units within the SCVJSS service area operate self-regenerating water softeners, which corresponds to approximately 70% of the overall residential chloride load. | RWQCB appreciates receiving this information. It provides technical support to the TMDL's phased implementation plan that focuses on source reduction during the first phase. |
| County Sanitation Districts of Los Angeles County(Cover Letter) | 10/7/02 | Given the magnitude of this chloride source, we urgently need the RWQCB's support for any and all source control efforts undertaken by the Districts to regulate residential self-regenerating water softeners, and other source control measures that have the ability to meaningfully reduce chloride levels in the Saugus and Valencia WRPs effluent.<br><br>The WLA proposed for each WRP is the | RWQCB can consider support for the Districts' source control efforts.<br><br>The WLA is subject to reevaluation by the Regional |

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| | | same, 100mg/L for chloride as an instantaneous maximum. To meet this chloride concentration end0f-pipe, it will be necessary for the Districts to install advanced waste treatment (microfiltration (MF)/reverse osmosis (RO)) and a brine line/ocean outfall or other facilities to dispose of the brine reject generated by the membrane treatment processes. | Board based on special studies conducted during the first phase of the TMDL. If such studies support the revision of the WQO and if source control efforts are proven effective, advanced treatment may not be necessary. |
| County Sanitation Districts of Los Angeles County(Cover Letter) | 10/7/02 | The estimated capital cost developed by MWH for the necessary treatment is $422 million for the WRPs' design flows. | Although the MWH report provides the basis for sizing the plant and brine line, it does not provide the basis for the cost estimate for the assumed plant. The unit costs utilized in the MWH report are significantly higher than industry accepted cost estimating manuals indicate and the costs estimated by MWH are several times greater than the costs for a similar facility in the Calleguas Creek watershed. RWQCB staff notes that the facility sizing assumptions contain multiple factors of safety. RWQCB staff also notes that the MWH report is not certified by a professional engineer. |
| County Sanitation Districts of Los Angeles County(Cover Letter) | 10/7/02 | In an effort to determine the economic impacts that a project of this magnitude would have on the community, the Districts retained the services of the firm M. Cubed, who are experts in economic impact analysis. | The economic impacts are based on a cost estimate for advanced treatment that is unreliable. RWQCB staff also note that the M. Cubed study is incomplete in that the potential economic benefits of source control remedy are not addressed. |
| County Sanitation Districts of Los Angeles County(Cover Letter) | 10/7/02 | The Districts ask that the RWQCB reconsider and modify the interim chloride effluent limitations for the Saugus and Valencia WRPs that would be in effect during the implementation | The interim limit for chloride is based on recent historical data for the plants in accordance with standard EPA protocol. |

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| | | period of the Proposed TMDL. | |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The Districts believe that the RWQCB did not make the necessary findings because the evidence in the record clearly demonstrates that the current water quality objective of 100 mg/L for chloride is in fact, unreasonable. It defies reason to require the local cities and wastewater management agencies, at great expense to their tax and rate payers, to build and operate advanced waste treatment facilities, such as microfiltration/reverse osmosis ("MF/RO") for treating sewage to meet a water quality standard set to protect the most salt-sensitive off-stream agricultural use that is not an "existing use, " particularly where the implementation of the control measures to meet these standards would result in substantial and widespread economic, environmental, and social impacts. The failure of the RWQCB to infuse an element of reasonableness into their actions in adopting the Santa Clara River chloride objectives will result in overly stringent and unreasonable regulation in violation of Water Code Section 13000. | The TMDL action is not establishing a water quality objective, but is instead implementing a previously adopted, lawful water quality objective. To accommodate the discharger's concern that continued application of the existing lawful objective is unreasonable, the TMDL allows sufficient time for the discharger and the Regional Board to reevaluate the chloride objective based on new data before planning for advanced treatment is required. Section 13360 precludes the Regional Board from specifying the manner of compliance with WQOs and the dischargers can choose the manner of compliance. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | Water quality objectives must be established to ensure the reasonable protection of beneficial uses. | The TMDL does not create a new water quality objective, and must be set to protect existing water quality standards (including beneficial uses and the level of water quality necessary to protect those uses). The |

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| | | | applicable water quality standard is the existing, lawful water quality objective for chloride.. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | Adoption of a TMDL by the RWQCB is also a separate regulatory action that must comply with all California APA requirements, not just the abbreviated requirements associate with Basin Plan amendments. | The TMDL, if adopted by the Regional Board, will be adopted in accordance with the California Water Code and applicable provisions of the California Administrative Procedures Act (Gov. Code, § 11340 et seq.). The Regional Board staff concurs that the TMDL is a rule subject to applicable, formal APA requirements. As more fully explained in an October 15, 2002, letter from Regional Board counsel to counsel for the CSDLAC (letter attached), the Regional Board's formal rulemaking authority is contained in Government Code section 11353. When the Regional Board exercises formal rulemaking under Government Code section 11353 and amends its Basin Plan to incorporate the TMDL, it is complying with the applicable provisions of the APA. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The RWQCB has not substantiated the claim that Camulos Ranch has made that they grow avocados using surface water from the Santa Clara River below Blue Cut. | The RWQCB has received a letter from Camulos Ranch stating that they use surface water from the Santa Clara River for agricultural production. That evidence is consistent with prior use analyses in the upper Santa Clara River watershed. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The RWQCB has not substantiated the claim that groundwater basins underlying the Santa Clara River Reaches 5 and 6 are exceeding the groundwater objective for chloride, nor have they made the connection necessary to conclude that these exceedances are due to surface water discharges. | A review of groundwater quality data for Basins underlying Reaches 5 and 6 show increasing chloride levels. The Staff Report further details the hydrology of the area, and the geology of the region is amenable to surface water-ground water interaction. |

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| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | For the Santa Clara River from Saugus to Piru, the SWRCB has no record of permitted rights, or record of pre-1914 rights, and has a record on only one riparian diversion, that of Newhall Land and Farming (Statement of Water Diversion and Use No. 14515) | RWQCB appreciates this comment. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | This basin, which underlies Reach 5, has been identified by the Department of Water Resources as a gaining reach, with an estimated 10,660 acre-feet per year of rising groundwater occurring in this reach. This suggests that no recharge is actually occurring, calling into question the validity of the claim that the TMDL is needed to protect the groundwater basin. | RWQCB notes that an annual estimate of rising groundwater cited by CSDLAC does not preclude the potential for recharge during critical periods. Regional Board staff note a rising trend of chloride in groundwater basins underlying the Santa Clara River. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | Even if the Staff Report were wrong and the groundwater WQO were 100 mg/L for this basin, the RWQCB has not provided groundwater data demonstrating impairment of the basin, only surface water concentrations. | Impairment of the groundwater basin is not necessary to document an impairment of a surface water beneficial use. However, Regional Board staff note a rising trend of chloride in groundwater basins underlying the Santa Clara River. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | Nowhere in the Tentative Resolution, the Attachment containing the Proposed Amendment, or the Staff Report does it state whether the Staff Report is part of the TMDL regulation. | The TMDL will be adopted as a Basin Plan amendment. The regulatory provisions of the TMDL are contained in the Basin Plan amendment. The staff report is not regulatory in nature, although it provides the foundational support for the basin plan amendment. |
| County Sanitation Districts of Los Angeles | 10/7/02 | In Table 7-6.1 of Attachment A of the Tentative Resolution, the RWQCB | Staff agrees and modifications appear in the redline staff report. However, the statement concerning the |

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| County (Attachment 1) | | states that "A subsequent Basin Plan amendment will be necessary …to ensure full compliance with instantaneous maximums. However, the Staff Report proposes numeric targets that are to be measured instantaneously. See Staff Report at page 23 (Table 6). Thus, the proposed Basin Plan amendment appears to be inconsistent with the Staff Report supporting it. | requirements of the Basin Plan Amendment are correct in the resolution are correct ( See EPA's letter) until the completion of studies concerning a site-specific objective are completed and when or if the Basin Plan objective for chloride is modified |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | Another example of an inconsistency between the proposed Basin Plan amendment and the Staff Report is the Margin of Safety (MOS). | Staff agrees and modifications appear in the redline staff report. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The RWQCB failed to comply with the normal CEQA process prior to promulgating this proposed TMDL. | The CEQA checklist addresses the environmental impacts of the TMDL based upon a reasonably foreseeable means for achieving water quality standards. The TMDL does not specify the design, location, type of construction, or particular manner for compliance with the TMDL. In fact. Section 13360 of the California Water Code specifically prohibits the Regional Board from dictating the manner of compliance. Should the discharger(s) choose a structural device or facility to achieve the Waste Load Allocations established in this TMDL, a project-specific CEQA analysis will be required.<br><br>RWQCB's obligation is to identify remedies which are attainable, not to fully characterize any remedy. The Basin Planning process is equivalent to the CEQA |

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| | | | process. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | Thus, the functional equivalent of an EIR (FED EIR) is required whenever a project "may have a significant effect on the environment." Specifically, the RWQCB must prepare a document substituting for an EIR or negative declaration which includes at least the following items: A description of the proposed activity; and either Alternatives to the activity and mitigation measures to avoid or reduce any significant or potentially significant effects that the project might have on the environment, or A statement that the agency's review of the project showed that the project would not have any significant or potentially significant effects on the environment and therefor no alternatives or mitigation measures are proposed to avoid or reduce any significant effects on the environment. This statement shall be supported by a checklist or other documentation to show the possible effects that the agency examined in reaching this conclusion. | The CEQA checklist addresses the environmental impacts of the TMDL based upon a reasonably foreseeable means for achieving water quality standards. The TMDL does not specify the design, location, type of construction, or particular manner for compliance with the TMDL. In fact. Section 13360 of the California Water Code specifically prohibits the Regional Board from dictating the manner of compliance. Should the discharger(s) choose a structural device or facility to achieve the Waste Load Allocations established in this TMDL, a project-specific CEQA analysis will be required.<br><br>RWQCB's obligation is to identify remedies which are attainable, not to fully characterize any remedy. The Basin Planning process is equivalent to the CEQA process. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | In its current form, the TMDL only identifies the Districts facilities for WLAs. Thus, the Districts are the only entity that will be regulated under the TMDL, and after careful evaluation of alternative compliance options including | The TMDL source analysis shows that the Districts discharge the major chloride load to the Santa Clara River. The TMDL provides a period for additional studies to quantify other sources and a reevaluation of the WLA which can apply to those sources, if appropriate. |

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| | | source reduction, the only way to ensure compliance with an instantaneous maximum target of 100 mg/L is for the Districts to install MD/RO technology at both the Saugus and Valencia treatment plants. | appropriate. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The RWQCB did not adequately explore alternatives, such as using any other feasible objectives (e.g., 230 mg/L to protect in-stream aquatic life uses) or utilization of other sources of water supply by agricultural growers that could be adopted as alternatives to the actions ultimately taken. | This TMDL provides the mechanism to explore alternatives such as using other water quality objectives through studies in the first phase of the TMDL. The Regional Board will reevaluate the TMDL in light of the first phase studies. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The RWQCB should postpone adoption of the proposed TMDL and accompanying Basin Plan amendment until all CEQA requirements have been satisfactorily met. | The CEQA checklist addresses the environmental impacts of the TMDL based upon a reasonably foreseeable means for achieving water quality standards. The TMDL does not specify the design, location, type of construction, or particular manner for compliance with the TMDL. In fact. Section 13360 of the California Water Code specifically prohibits the Regional Board from dictating the manner of compliance. Should the discharger(s) choose a structural device or facility to achieve the Waste Load Allocations established in this TMDL, a project-specific CEQA analysis will be required.<br><br>RWQCB's obligation is to identify remedies which are attainable, not to fully characterize any remedy. The Basin Planning process is equivalent to the CEQA process. |

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| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The RWQCB is truly mistaken to think that this TMDL will change background, natural conditions of the groundwater. | Regional Board staff note a rising trend of chloride in groundwater basins underlying the Santa Clara River. This trend appears to coincide with increased chloride loadings to the Santa Clara River. The studies in the first phase of the TMDL will provide more data on the groundwater conditions. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | Neither the RWQCB nor U.S. EPA can justify its actions on the basis of CWA section 303(d), list surface waters on the State's 303(d) List for an impairment of the GWR use, or establish TMDLs, under section 303(d) of the Act. | Groundwater recharge (GWR) is a beneficial use designated for Inland Surface Waters, including the Santa Clara River, in the Water Quality Control Plan, Los Angeles Region (Basin Plan). The Basin Plan defines groundwater recharge as:<br>"Uses of water for natural or artificial recharge of ground water for purposes of future extraction, maintenance of water quality, or halting seawater intrusion into freshwater aquifers."<br><br>The hydrodynamics of the Santa Clara River watershed supports the GWR designation of the Santa Clara River as an existing beneficial use.<br><br>Because the State has designated GWR as a beneficial use for the Santa Clara River, the use becomes a federally recognized (and hence enforceable) "state water quality standard." Consequently, GWR is a beneficial use that the TMDL must protect. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | There are no water quality objectives in the Basin Plan for protection of the GWR use; there is no requirement or authority for the RWQCB to adopt a program of implementation under Water Code 13242. | RWQCB staff concludes that the current water quality objective for chloride will protect the GWR beneficial use. The foundational support is established in the staff report. The receiving groundwater includes beneficial uses for agricultural supply. Staff considered this use in protecting the GWR use. To fully protect the GWR use, the beneficial uses of the receiving groundwater must be |

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| | | | protected. As a result, protecting at 100 mg/l recognized for agriculture supply will also protect the GWR use of the surface water. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | Without approval under CWA 303(c) these uses do not become "applicable water quality standards" for federal CWA purposes, such as serving as the basis for NPDES permit limitations or for 303(d) listing decisions. | Groundwater recharge (GWR) is a beneficial use designated for Inland Surface Waters, including the Santa Clara River, in the Water Quality Control Plan, Los Angeles Region (Basin Plan). USEPA has approved the Basin Plan as a water quality control plan for the Los Angeles Region that establishes the applicable water quality standards. Because the State has designated GWR as a beneficial use for the Santa Clara River, the use becomes a federally recognized (and hence enforceable) "state water quality standard" upon approval by USEPA. Consequently, GWR is a beneficial use that the TMDL must protect. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The RWCQB has no statutory or regulatory authority under the CWA to adopt a TMDL to protect these uses. | CWA authority extends to water quality objectives and beneficial uses adopted by the State, which are equivalent to state water quality standards. As such, under the CWA the uses and levels necessary to protect these uses are fully recognized under the CWA. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The RWQCB failed to adopt the chloride objectives in accordance with state law, thereby also violating EPA regulatory requirements. | The chloride objective was established in the 1994 Water Quality Control Plan which was adopted in accordance with state law, as evidenced by its approval by state board, OAL and EPA. RWQCB staff note that the record does not indicate that CSDLAC objected to the chloride objective at the time the Basin Plan was adopted. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The proposed TMDL does not include "seasonal variations." | The seasonal variations are considered. The critical period for direct diversion to meet |

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| County (Attachment 1) | | | agricultural beneficial use is during low flow and summer, not under all conditions. Evidence of compliance under other seasons is irrelevant to the necessity to protect beneficial uses. Should RWQCB find that the hydrological study supports relaxed WLA high flows, this will be considered during the re-opener. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The TMDL fails to establish a need for regulation of chloride based on mass, and thus the need for a total maximum daily load. See 40 C.F.R. 130.2(I) (TMDL s can be expressed in terms of mass per time, toxicity or other appropriate measure). | The staff report discusses waste loads in terms of chloride mass. These loads are expressed in terms of concentration in the tentative Basin Plan amendment to allow for future growth, and concentrate is an appropriate measure under 40 C.F.R. 130.2. There is no requirement for TMDLs to be established solely if a need for regulation based on mass. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The RWQCB should equitably distribute the TMDL among all of the contributing sources. | The TMDL distributes the WLA among the two major sources, the Saugus and Valencia WRPs. The staff report fully documents that the other discharges are discharging below the numeric target. As a result, their determination in the proposed TMDL is that there is no need to establish additional regulation at this time on the minor dischargers. Phase I of the TMDL includes studies to determine if other sources require WLAs. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The TMDL includes studies to be done by LACSD. However, no analysis under Water Code 13267 has been performed prior to the TMDL's requirement of these studies. | The totality of CSDLAC's comments suggest high costs for implementing the TMDL. In relation to these purported costs, the costs for studies are reasonable and will benefit the people of California. Further, the TMDL is not developed under the authority of Water Code section 13267. Directions to prepare the subsequent reports can be issued in conformance with Water Code section 13267; however, their relevant information is contained in the staff report. The Upper |

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| | | | Santa Clara River is impaired for chloride. There is data, including the 303(d) listing, supporting this conclusion. Further, monitoring data from the two CSDLAC WRPs demonstrates that the facilities are discharging in excess of the existing water quality standard. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The State Antidegradation Policy does not apply because the historically high chloride levels made the Santa Clara River not high quality water for this constituent. | As described in Res. 00-20 and documented in the staff report here, the previous high chloride levels were associated with an illegal and unpermitted discharge of brines from oil exploration, a practice which has been controlled through regulation. The existence of a pollutant problem and especially, its remedy, is not sufficient to argue that the water quality should not return to predischarge conditions. Further, the data show that the chloride levels have continued to rise. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | Other regulations, 40 C.F.R. 131.10 (j) and (k), address the performance of a Use Attainability Analysis (UAA), but the requirement to perform a UAA only applies when the State wishes to remove section 101 (a) (fishable/swimmable") use. Thus, these provisions would not apply to the AGR use. | Staff disagrees. The state is required to conduct a A UAA whenever a designed use is proposed for removal. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | Accordingly, if the RWQCB proceeds with the adoption process, the Districts recommend that the TMDL be revised to achieve the appropriate WQO at the point of withdrawal on at least an annual average basis. | If the first phase of studies indicate that appropriate WQO can be achieved at point of withdrawal and the legal requirements regarding antidegradion can be met, the Regional Board can consider a WQO at the point of withdrawal during the TMDL reevaluation. |

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| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The basin plan is silent as to where compliance with those concentrations is to be achieved. The RWQCB staff therefore concluded that the chloride objective applies throughout Reaches 5 and 6, and so used that objective as the TMDL target to be met at all locations. See Staff Report at pages 31-32. This conclusion, however, is unfounded and inconsistent with previous interpretations of the WQO. | The Basin Plan provides an unambiguous objective of 100 mg/L in reaches 5 and 6. Studies to be conducted in the first phase of the TMDL can provide the basis for revisions of the water quality objective. Staff notes that CSDLAC stated such studies would be underway in the public hearing in December 2000 and in meetings with RWQCB staff in January 2002. These studies have not been initiated. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | Temporal Compliance: Again, because of the deletion of Footnote (a), the current Basin Plan is silent concerning the temporal measure of compliance with the chloride WQOs. Contrary to the intent of the RWQCB in establishing these objectives, staff has now interpreted this silence as an imperative requirement of instantaneous compliance. This interpretation is unfounded, and is not necessary to protect the agricultural use supported b the Upper Santa Clara River. The TMDL should be revised to achieve the WQO on a flow-weighted annual average basis, rather that instantaneously. | The Basin Plan provides an unambiguous objective of 100 mg/L in reaches 5 and 6. Studies to be conducted in the first phase of the TMDL can provide the basis for revisions of the water quality objective. Staff notes that CSDLAC stated such studies would be underway in the public hearing in December 2000 and in meetings with RWQCB staff in January 2002. These studies have not been initiated. |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The RWQCB should require NPDES permits and Waste Water Discharge Requirements for Imported Water to the region. | The RWQCB will work with dischargers to evaluate this potential source of elevated chlorides during the first phase of the TMDL. |

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| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The RWQCB should acknowledge the effect of water importation on chloride and other salts, or it may need to consider regulating the importation of salts into the region either through the adoption of waste discharge requirements (WDRs) or the issuance of NPDES permits. | The RWQCB will work with dischargers to evaluate this potential source during the first phase of the TMDL |
| County Sanitation Districts of Los Angeles County (Attachment 1) | 10/7/02 | The Districts encourages the RWQCB to adopt a phased TMDL approach whereby WLA are not established until chloride site specific objectives are adopted for the upper Santa Clara River. | This TMDL is a phased TMDL. However, WLAs are established, subject to reconsideration by the Regional Board after new data are submitted. |
| County Sanitation Districts of Los Angeles County(Attachment 1) | 10/7/02 | The RWQCB's actions to adopt the existing chloride objective of 100 mg/L unlawfully bypassed statutory mandates, including, but not limited to, those required under Water Code 13000 (requires water quality regulation to be "reasonable") | This TMDL does not establish a new water quality objective. The RWQCB's actions to adopt the existing chloride objective were duly noticed and followed all the substantive and procedural requirements of the Porter-Cologne Water Quality Control Act. Further, the existing water quality objective was never challenged. . The objectives, which were established in the 1994 Water Quality Control Plan, were reviewed and approved by SWRCB, OAL, and EPA. In addition, a review of the record shows that CSDLAC did not comment on the chloride objective during the public comment period. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/07/02 | The RWQCB is not legally authorized (under either State or Federal law) to develop TMDLs for groundwater. | This TMDL is not established for groundwater. It protects surface water for which the groundwater recharge (GWR) beneficial use is designated. |
| County Sanitation Districts of Los Angeles | 10/7/02 | The public meeting held on August 1, 2001 does not fulfill requirements of | |

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| County (Attachment 2) | | early public consultation under CEQA, as the proposed TMDL numeric target was changed by the Regional Board after this meeting. | The proposed numeric target was changed based on comments from CSDLAC at the meeting on August 1, 2002 [sic] |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | RWQCB incorrectly concludes that Chloride Concentrations in the River exceed Groundwater Objectives. | RWQCB has not concluded that the chloride concentrations exceed groundwater objectives. The staff report notes a rising trend of chloride in groundwater basins underlying the Upper Santa Clara River and, among other uses, the TMDL protects the GWR use by acknowledging that the receiving groundwater is designated for agriculture supply and irrigation. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | RWQCB incorrectly concludes that Crop Yield Reductions occur at Chloride Concentrations above 100mg/L in Irrigation Water. | The Staff Report cites evidence of crop damage at chloride concentrations as low as 80 mg/L. This TMDL includes agricultural studies during the first phase to determine the levels of crop reduction. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | RWQCB is incorrectly interpreting the WQO as an instantaneous maximum. | The WQO established in the Basin Plan is 100 mg/L and applies at all times and all places in the reach. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | Resolution 94-007 should be listed. | Staff agrees, see redline staff report. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | Regional Board continues to ignore historical variability in Chloride Concentrations at Blue Cut. | The Staff Report discusses the historical variability of chloride concentrations at Blue Cut. A review of the data shows a trend of increasing chloride concentration. |
| County Sanitation Districts of Los Angeles | 10/7/02 | The Regional Board should use the most recent data available for Land Use | The most recent data for Land Use estimates can be incorporated into the Phase I studies. They were not |

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| County (Attachment 2) | | Estimates. | available at the time the TMDL was drafted. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The Regional Board should not be proceeding with this TMDL until the WQOs are updated. | RWQCB agrees that the Phase I studies should be initiated immediately. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | Table 4 contains incorrect/insufficient information regarding Regional Board Resolutions. | Staff agrees that some modification may improve the readability of the chart, see redline staff report. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | A Basin Plan Amendment is not necessary to reinterpret the Surface Water Chloride Objective averaging period. | Staff disagrees, a Basin Plan Amendment provides greater clarity of the RWQCB's intentions and is applicable to other TMDLs. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The RWQCB inconsistently represents local growers and local expert opinion regarding the Protective Chloride Threshold for avocado. | Staff accurately represents the variability of opinion on the chloride concentration necessary to support beneficial uses. The implementation plan includes a study period to determine if additional data is available. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The Regional Board incorrectly states that strawberry crops are equally as sensitive to chloride as avocado. | The Staff Report does not state that strawberry crops are equally sensitive to chloride as avocados. The Staff Report notes that strawberry is sensitive to chloride. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The Regional Board incorrectly implies that strawberry and avocado crops may potentially be grown in Reach 5 and 6. | The Staff Report does not believe that the implication that strawberry and avocado crops may be “potentially” grown in Reach 5 and 6 is incorrect. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The Regional board did not identify all NPDES dischargers to the Santa Clara River and inaccurately reports permitted discharge volume and concentrations. | The Staff Report accurately identified the major sources of chloride to the Santa Clara River, and listed both major and minor NPDES dischargers. |
| County Sanitation Districts of Los Angeles | 10/7/02 | The regional Board has inadequately assessed groundwater and tributary | Groundwater and tributary characteristics in the watershed are complex ad the subject of current work |

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| Districts of Los Angeles County (Attachment 2) | | assessed groundwater and tributary characteristics. | watershed are complex ad the subject of current work and the Phase I studies. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | Rising groundwater is not assessed as a chloride source. | This source is considered minor compared to the major sources and is the subject of further quantification during Phase I studies |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | There is also no discussion about the methodology employed to determine urban water runoff and chloride concentrations associated with runoff events. | This source is considered minor compared to the major sources and is the subject of further quantification during Phase I studies. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | Sources of flow and potential loading have not been correctly assessed. | This source is considered minor compared to the major sources and is the subject of further quantification during Phase I studies. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | RWQCB fail to use up-to-date flow data to assess the total chloride loading to the TMDL. | The “most up to date” flow data can be incorporated into the studies during Phase I of the TMDL. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | Limited opportunity for stakeholder involvement in the TMDL development process. | There have been numerous meetings with Stakeholders. RWQCB issued a preliminary draft and held a public meeting to elicit comments from stakeholders. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | RWQCB’s justification not to use a more advances hydrodynamic water quality model is inappropriate and ludicrous. | The requirement for a linkage analysis does not specify the use of an advanced hydrodynamic model. It is noted that the peer reviewer did not find the use of the statistical linkage analysis inappropriate or ludicrous. In accordance with the peer review comments, an advanced hydrodynamic model is included in the Phase I studies. |
| County Sanitation Districts of Los Angeles | 10/7/02 | Model development is inadequate to establish WLA and LA. | The model was not used to establish WLA and LA. |

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| Districts of Los Angeles County (Attachment 2) | | establish WLA and LA. | |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The Districts recommend the use of an alternative statistical mode. | Staff acknowledges that there are alternative statistical approaches that could be used, but that does not invalidate the approach used in this TMDL. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | A regression relationship between water quality and receiving water flow conditions. | Flow data is notoriously poor, is incorrectly used in CSDLA.Specifically, low flow times which high concentrations are allowed by flow weighting, but have a critical impact on beneficial uses. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | Districts recommend the interim limits as discussed later in this document be implemented until a more appropriate and adequate model can be developed and peer-reviewed. | Interim limits developed in accordance with EPA protocol are included in this TMDL. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | Districts disagree with the RWQCB's application of the WQO as an instantaneous maximum (never to exceed) numeric target applied as "end-of-pipe limits for the WRPs. | Phase I of this TMDL provides the districts with the opportunity to develop studies to support development of a revised WQO. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | A simple mass balance puts in perspective the overly stringent nature of the chloride TMDL WLA. | The mass balance referenced was challenged by CSDLA in 1999 in the Res. 00-20 administrative record, and found not sufficiently rigorous. The1998 Kennedy Jenks mass balance predicted the current impairments at Blue Cut. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | No evidence is provided by the Regional Board to support claims regarding changes in GW conditions that could prevent the success of the | RWQCB notes the continuing increase of chloride concentration in groundwater and the documented areas where groundwater naturally discharges to the Santa Clara River. These observations led to the statement in |

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| | | TMDL. | the Staff Report which will be evaluated during Phase I studies. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The Regional Board is inconsistent with earlier actions to provide relief to POTWs during drought conditions. Drought conditions are natural conditions and it is not unexpected to see changes in surface water and groundwater qualities during these periods. | Drought relief in Res. 90-02 did not create a return to pre-drought water quality conditions after the drought ended. This remedy did not require stakeholder responses to critical drought conditions, but delayed it. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The margin of safety is overly restrictive and unreasonable. | Given the nature of CSDLAC comments on the uncertainties associated with the linkage analysis, the margin of safety appears appropriate. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | We believe, that due to the undocumented nature of surface water diversions that it will require more than two years to determine locations where diversions are currently being utilized to irrigate salt-sensitive crops, understand future plans of the affected growers, and to identify and analyze alternative water supply options. | RWQCB notes that CSDLAC has already undertaken a review of state board water rights files regarding surface water diversions. This work can form the basis for initiating the implementation of alternative water supply to affected growers. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | District request revision to the language in Tasks IV, V, VI, VII (see pages 39 through 41 in Staff Report) that remove all references to “if appropriate and if applicable.” | RWQCB agrees. Such revisions are reflected on the change sheet. |
| County Sanitation Districts of Los Angeles | 10/7/02 | The RWQCB should acknowledge that the proposed timeline for Task X is | RWQCB believes that the planning and design for advanced treatment can be initiated while permitting |

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| County (Attachment 2) | | contingent on and will not begin to run until after the Districts have obtained all of the appropriate construction and discharge permits required in a reasonable timeframe. | activities are on-going to accelerate the schedule. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The Districts disagree with the methodology employed by the Regional Board to calculate interim limits. | The RWQCB methodology for interim limits is in accordance with EPA guidance. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The Regional Board's assessment of the effectiveness of source reduction is grossly overstated. | CSDLA's own comment letter and studies show that the source reduction remedy goals can be attained. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | Regional Board makes inaccurate statements regarding case study of Water Softener Source Control | The unsolicited information presented is identical with that provided by another regional board Executive Officer. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | Reverse Osmosis (RO) Treatment and Brine Line Construction. The Regional Board makes inaccurate assertions and claims. | The TMDL includes a study period to examine the assumptions of the cost estimate. However, the estimate has been revised in response to stakeholder comments, is consistent with industry standards and with local ongoing public works projects. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | Additional Watershed monitoring is not justified. | Given the uncertainties noted in the Staff Report, additional watershed monitoring is justified. In addition, CSDLAC makes frequent reference to the WQO objective as an instantaneous maximum. Previous Basin Plans noted that flow information should be collected simultaneously with chloride data. RWQCB staff notes that CSDLAC did not, over a period of decades, report any such data. |
| County Sanitation Districts of Los Angeles | 10/7/02 | The Regional Board provides costs estimates related to source reduction | The RWQCB cost estimates do not ignore the potential limitations of the source reduction remedy. The TMDL |

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| Districts of Los Angeles County (Attachment 2) | | estimates related to source reduction ignoring the fact that no source reduction effort, no matter how successful, will result in compliance with an instantaneous maximum target of 100 mg/L since raw water supplies routinely exceed the target. | limitations of the source reduction remedy. The TMDL provides a period of studies and reevaluation of the water quality objective by the Regional Board. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The Regional Board cost estimate to achieve full compliance with the TMDL target is inaccurate, misleading and technically flawed. | The TMDL includes a study period to examine the assumptions of the cost estimate. However, the estimate has been revised in response to stakeholder comments, is consistent with industry standards and with local ongoing public works projects. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The Regional Board should clarify the basis of the sewage rates comparison in Table 15. | The references are identical to those for the Dec 2000 staff report and include evidence that the rate comparison is for similar public services with similar practices. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The Districts question if surface water is actually being used to irrigate avocados and strawberries and request that the RWQCB provide concrete evidence that surface water diversions from the Santa Clara River are in fact being specifically used to irrigate avocados and strawberries in the upper SCR watershed. | Staff has photos of the diversion and water delivery system, bills of sale for the planted avocado trees. In addition, the grower stated his use of the water before the RWQCB in December 2000 and in an attached letter. Further, the diversion was historically the only source of water as evidence by a land grant water right the precedes irrigated agriculture. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The Districts also disagree with the RWQCB that the long-term existing limit of 100mg/L was maintained. Final effluent limits of 100 mg/L were only applied to the Districts two WRPs for a | The WQO of 100 mg/l did not change with the setting of INTERIM limits in 1990. Permit requirements always include attainment of existing WQOs. |

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| | | short period of time (from 1989 to 1990) | |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The RWQCB failed to evaluate alternatives, environmental impacts, and mitigation measures pursuant to CEQA. | The Basin Planning process fulfills all CEQA requirements.<br><br>. |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The RWQCB failed to adequately characterize environmental impacts in the environmental checklist and must prepare a FED EIR. | See above |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | Additional Watershed monitoring is not justified. The Regional Board provides costs estimates related to source reduction ignoring the fact that no source reduction effort, no matter how successful, will result in compliance with an instantaneous maximum target of 100 mg/L since raw water supplies routinely exceed the target. | Given the uncertainties noted in the Staff Report, additional watershed monitoring is justified. In addition, CSDLAC makes frequent reference to the WQO objective as an instantaneous maximum. Previous Basin Plans noted that flow information should be collected simultaneously with chloride data. RWQCB staff notes that CSDLAC did not, over a period of decades, report any such data. The RWQCB cost estimates do not ignore the potential limitations of the source reduction remedy. The TMDL provides a period of studies and reevaluation of the |
| County Sanitation Districts of Los Angeles County (Attachment 2) | 10/7/02 | The Regional Board provides costs estimates related to source reduction ignoring the fact that no source reduction effort, no matter how successful, will result in compliance with an instantaneous maximum target of 100 mg/L since raw water supplies routinely exceed the target. The Regional Board cost estimate to | The RWQCB cost estimates do not ignore the potential limitations of the source reduction remedy. The TMDL provides a period of studies and reevaluation of the |

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| | | achieve full compliance with the TMDL target is inaccurate, misleading and technically flawed. | |
| County Sanitation Districts of Los Angeles County(Attachment 2) | 10-7-02 | Regional Board's reference to Calleguas Creek Watershed groundwater condition is not appropriate since watershed dynamics are not similar. | There are many similarities in watershed dynamics between the Calleguas Creek and Santa Clarita River watersheds, including: land use types and extensive areas of groundwater and surface water interactions. |
| County Sanitation Districts of Los Angeles County(Attachment 2) | 10-7-02 | The RWQCB erroneously states that the groundwater basin underlying the Impaired reach where the groundwater discharges to the surface is 100 mg/L. | Staff agrees, see redline staff report. |
| County Sanitation Districts of Los Angeles County(Attachment 2) | 10-7-02 | The RWQCB seems to incorrectly conclude that water quality within the aquifers underlying the Santa Clara River is homogeneous and exist in a steady state condition. | Staff agrees that groundwater conditions can be highly variable, has documented with United Water Conservation District, the existence of a plume with effluent concentrations in the Piru USGS nested well and believes that the conservative assumptions in the TMDL are necessitated by this phenomenon where local rising groundwater concentrations may exceed a basin average. |
| County Sanitation Districts of Los Angeles County(Attachment 2) | 10-7-02 | The Districts request all documentation, calculations, and analyses that support the need to revise the existing groundwater chloride objectives to assure success of this TMDL. | The Districts is welcome to schedule a file review at any time. |
| County Sanitation Districts of Los Angeles County(Attachment 2) | 10-7-02 | The unarmored threespine stickleback, which is native to the Santa Clara River, has been found in abundance near and downstream of the Saugus and | The technical evidence of the endangered species in the proximity of the outfalls has not been presented to the RWQCB in the 4 years since the reported study date and is not consistent with the findings of the USFS |

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| | | Valencia WRP outfalls. | stickleback recovery plan. Further, downstream occurrences of the species documented by the USFS were single individuals or occurred in tributaries and would not apply here. |
| County Sanitation Districts of Los Angeles County(Attachment 2) | 10-7-02 | We do not believe that the implementation plan for this chloride TMDL is the appropriate mechanism to evaluate impacts on endangered species. | RWQCB would welcome CSDLAC's suggestion for an alternative mechanism to evaluate impacts on endangered species. |
| County Sanitation Districts of Los Angeles County(Attachment 2) | 10-7-02 | The Regional board incorrectly concludes that the Aquatic Chloride Standard may be exceeded within 5 years. | The Regional Board's conclusion is based on staff's analysis of recent chloride trends. It is noted that the CSDLAC also provided information that the Aquatic Life Chloride standard will also be exceeded in the near future. |
| County Sanitation Districts of Los Angeles County(Attachment 2) | 10-7-02 | The federal Anti-degradation policy does not apply since the agricultural beneficial use is not a CWA. | The federal antidegradation policy is not limited to "fishable, swimmable" beneficial uses, but applies to protecting all existing uses and to maintaining the high water quality of water generally. |
| County Sanitation Districts of Los Angeles County(Attachment 2) | 10-7-02 | The RWQCB incorrectly portrays water quality conditions at Blue Cut prior to 1970. | Blue Cut conditions are thoroughly documented by staff and accepted by he RWQCB in Res. 00-20 and pre-1970 chloride pollution is further supported in the statistical study in the attached staff report. |
| County Sanitation Districts of Los Angeles County(Attachment 2) | 10-7-02 | The Regional Board should not presuppose the outcome of Use Attainability Analysis (UAA). | The Staff Report merely documented an initial staff analysis of a UAA. The TMDL does not preclude the dischargers' development of a UAA for regional Board consideration |
| County Sanitation Districts of Los Angeles County(Attachment 2) | 10-7-02 | The proposed numeric targets are overly restrictive and inappropriate, as these targets have no connection to the | The numeric targets are protective of the existing water quality objective. |

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| County(Attachment 2) | | these targets have no connection to the protection of the downstream beneficial use. | |
| County Sanitation Districts of Los Angeles County(Attachment 2) | 10-7-02 | The Regional Board in correct instating that WLAs are established for Point Sources and LAs are established for Nonpoint Sources during the TMDL process. | Comment noted. |
| County Sanitation Districts of Los Angeles County (Attachment 3) | 10/7/02 | Summary of Active NPDES permits in the Upper Santa Clara River Watershed. | RWQCB notes this attachment. |
| County Sanitation Districts of Los Angeles County (Attachment 4) | 10/7/02 | The statement that there are documented chloride water quality impairments is inaccurate, since the only know legal diverter of surface water for agricultural use along these two reaches, namely Newhall Land and Farming Company, has clearly stated n the administrative record that the irrigation supply waters (both surface and groundwater from Reaches 5 and 6, and the groundwater basins underlying them) utilized for their farm activities is of sufficient quality and poses no problem. | The Upper Santa Clara river was listed as impaired by chloride because chloride exceeds the water quality objective based on the agricultural supply beneficial use. This includes uses for salt-sensitive crops. |
| County Sanitation Districts of Los Angeles County (Attachment 4) | 10/7/02 | It is inappropriate for the RWQCB to develop the proposed TMDL for the purpose of restoring water quality conditions that never existed for any extended period of time since 1951. | The water quality data and beneficial use requirements upon which the WQO are based have been reviewed numerous times since 1978, as documented in Res. 00-20, and will be reviewed again as part of the implementation plan's site specific objective study. |

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| County Sanitation Districts of Los Angeles County (Attachment 4) | 10/7/02 | Since the RWQCB has not appropriately identified the magnitude of the compliance measures necessary to comply with the proposed TMDL (and resulting potential environmental impacts) and has not properly identified, as required, the project alternatives, the CEQA checklist is invalid. Concerns regarding the CEQA issues are discussed further in Attachments 1 and 2. | RWQCB does not select, nor defend, a particular remedy, merely identifies that effect remedies are present. |
| County Sanitation Districts of Los Angeles County (Attachment 4) | 10/7/02 | The conclusion that the regulatory action meets the "Necessity" standard of the Administrative Procedures Act is invalid, as discussed in Attachment 1. | These water bodies have been impaired as defined by the CWA since 1998. |
| County Sanitation Districts of Los Angeles County (Attachment 4) | 10/7/02 | For reasons discussed in Attachments 1 and 2, this attachment to the resolution is unclear to the reader, contradicts information contained in the staff report, and as such is insufficient in content to constitute a Basin Plan Amendment for future reliable and meaningful interpretations of the TMDL. | The change sheet to the amendment addresses several non-substantive changes to clarify the Basin Plan Amendment. |
| County Sanitation Districts of Los Angeles County (Attachment 4) | 10/7/02 | The RWQCB incorrectly states that chloride was listed for the Upper Santa Clara River because it is present at levels that "do not protect the most sensitive beneficial uses of the water body," thus implying that an impairment of the agricultural use exists in Reaches 5 and 6.The statement that there are | The impairment is of a WQO. However, the rule of tributaries in the Basin Plan states that upstream WQOs do not take precedent over downstream WQOs. Hence, the impairment of the agricultural beneficial use at the surface diversion at the upper end of the downstream reach constitutes a violation of WQ standards. |

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| | | documented chloride water quality impairments is inaccurate, since the only know legal diverter of surface water for agricultural use along these two reaches, namely Newhall Land and Farming Company, has clearly stated n the administrative record that the irrigation supply waters (both surface and groundwater from Reaches 5 and 6, and the groundwater basins underlying them) utilized for their farm activities is of sufficient quality and poses no problem. | |
| County Sanitation Districts of Los Angeles County (Attachment 4) | 10/7/02 | The statement that there are documented chloride water quality impairments is inaccurate, since the only known legal diverter of surface water for agricultural use along these two reaches, namely Newhall Land and Farming Company, has clearly stated n the administrative record that the irrigation supply waters (both surface and groundwater from Reaches 5 and 6, and the groundwater basins underlying them) utilized for their farm activities is of sufficient quality and poses no problem. It is inappropriate for the RWQCB to develop the proposed TMDL for the purpose of restoring water quality conditions that never existed for any extended period of time since 1951. | See above |
| County Sanitation Districts of Los Angeles | 10/7/02 | Excessive concentrations of chloride, sodium or boron, can result in leaf burn | RWQCB appreciates the additional expert opinion which provides another interpretation of existing studies. |

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| County (Attachment 5) | | that may limit crop yields. However, the specific cause of the yield declines associated with soil salinity and/or specific ion toxicity has been difficult to determine, since chloride and sodium are typically also major components of soil salinity. | Additional inspections at these references will occur during the study period. |
| County Sanitation Districts of Los Angeles County (Attachment 5) | 10/7/02 | In the case of strawberry, research results clearly established that yield was controlled by the salinity of the soil water, in the presence or absence of leaf burn caused by chloride (Ehlig and Bernstein, 1965). These studies found that chloride itself did not affect yield; only salinity did. | RWQCB appreciates the additional expert opinion which provides another interpretation of existing studies. Additional inspections at these references will occur during the study period. |
| County Sanitation Districts of Los Angeles County (Attachment 5) | 10/7/02 | It is appropriate for the RWQCB to consider the 180 mg/L chronic chloride threshold as being protective of avocados. | RWQCB appreciates the additional expert opinion which provides another interpretation of existing studies. Additional inspections at these references will occur during the study period. |
| County Sanitation Districts of Los Angeles County (Attachment 6) | 10/7/02 | A superior statistical method should be used. | The approach proposed by Dr. Smith is not consistent with the analytical requirements of the TMDL, although staff agrees that it is a different statistical approach appropriate for other applications. Dr. Smith's analysis is not compatible with this TMDL because it determines a numeric target based on flow-weighted concentration, on average and critical conditions, and incorrectly uses gauged flow data. Specifically, (1) it calculates a concentration target using a flow-weighted approach which will not meet the existing water quality objective, (2) it includes data from the wet season and not just those from the critical period thereby producing a numeric target consistent with long-term average |

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| | | | conditions not critical conditions, and (3) it incorrectly assumes a continuous flow record from Blue Cut after 1996 when the gauge location was moved to a downstream location with higher groundwater discharge,<br><br>The TMDL is designed to meet the water quality objectives such that they are no longer impaired. Further, flow data is largely absent, often inaccurate, and not taken concurrently with water quality data despite the Board's direction in 1978 for CSDLAC to obtain this data.<br><br>The dry weather/drought critical conditions are well established for this constituent, especially for purposes of agricultural supply water through direct diversion. Examination of the entire data set produces results appropriate to long-term average water quality trends and not critical stressors to crops irrigated directly with river water.<br><br>The use of the Blue Cut gauging station data after 1996 is incorrect, as the gauge was moved after this time. Changes in flow are attributed to rising groundwater and different hydrology at the new location. The erroneous use of the flow data dramatizes the problem with using this information to determine concentration numeric targets.<br><br>In fact, we attempted to use Dr. Smith's approach modified to meet the TMDL requirements with the results described below. We found that this analysis did agree which the recommendations of the TMDL within the recommended margin of safety, but we did not use the analysis because of the limitations described above. |

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| County Sanitation Districts of Los Angeles County (Attachment 7A&7B) | 10/7/02 | MWH Cost Report. | RWQCB appreciate this work. The revised cost report maintains the original project assumptions made by CSDLAC without providing evidence that these conservative assumptions are superior to all estimates. |
| County Sanitation Districts of Los Angeles County (Attachment 8) | 10/7/02 | The analysis found that, should the TMDL be implemented as written without subsequent modification of the water quality objective of TMDL wasteload allocations, employment would be reduced in the two Districts' service areas by 544 jobs, total personal income would decline by about $30 million per year, local tax revenue would fall by $3.4 million annually, total industry output would drop by approximately $71.5 million per year, and total value added would decline by roughly $34 million annually. | The economic impacts are based on a cost estimate for advanced treatment that is inadequately documented. RWQCB staff also note that the M. Cubed study is incomplete in that the potential economic benefits of source control remedy are not addressed.<br><br>The impact analysis is technically flawed since it assumes today's number of residents, but burdens them with the entire fiscal impact to be caused by new, future residents. This is contrary to sound public works policy which charges new residents for new demand. Further, CDSLA costs used for this analysis, are significantly higher than those projected for similar projects in Calleguas watershed. Finally, the project does not create a Federal economic impact (see Res. 00-20) |
| County Sanitation Districts of Los Angeles County (Attachment 8) | | Implan was used to determine the economic impact on Districts 26 and 32 service area of a $49.5 million annual increase in sewage cost. These Districts serve approximately 154,000 customers | Although the MWH report provides the basis for sizing the plant and brine line, it does not provide the basis for the cost estimate for the assumed plant. The unit costs utilized in the MWH report are significantly higher than industry accepted cost estimating manuals indicate and the costs estimated by MWH are several times greater than the costs for a similar facility in the Calleguas Creek watershed. RWQCB staff notes that the facility sizing assumptions contain multiple factors of safety. |

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| County Sanitation Districts of Los Angeles County (Attachment 9) | 10/7/02 | Declaration of Dr. Gregory Partida | Dr. Partida's declaration highlights the need for sufficient irrigation water quantity for production of avocados. |
| County Sanitation Districts of Los Angeles County (Attachment 9) | 10/7/02 | In my experience, avocados can tolerate and even thrive at higher salinity and chloride concentrations by simply watering the tree more frequently and keeping the trees to a height below 15 feet. | RWCB appreciates this additional comment. |
| County Sanitation Districts of Los Angeles County (Attachment 10) | 10/7/02 | At a potable water supply concentration of 55 mg/L, if all prospective residential SRWS are prohibited beginning January 1, 2003, (Scenario 1), the SCVJSS final effluent chloride concentrations will decrease from the 2001 level of 168 mg/L to 138, 130 and 114 mg/L in 2010, 2015 and 2050, respectively. | RWQCB appreciates this comment. It supports the merits of limiting the chloride source. |
| County Sanitation Districts of Los Angeles County (Attachment 10) | 10/7/02 | With no action at a potable water supply concentration of 55 mg/L, the SCVJSS final effluent chloride concentrations would increase from the 2001 level of 168 mg/L to 200, 215 and 245 mg/L, respectively, if the Districts were not allowed to prohibit residential SRWS. | RWQCB appreciates this comment. It supports the merits of limiting the chloride source.<br><br>Staff agrees and points out that this analysis shows that no action on chloride at today's dry weather source water average of 71 mg/L (estimated in CSDLAC report) will cause effluent to exceed the aquatic life standard of 230 mg/L before the end of the implementation period. |
| County Sanitation Districts of Los Angeles County (Attachment 10) | 10/7/02 | If all grandfathered residential SRWA (i.e., SRWS installed before January 1, 2003) and prospective residential SRWS were prohibited, the 2010, 2015 | RWQCB appreciates this comment. It supports the merits of limiting the chloride source. |

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| | | and 2050 final effluent chloride concentrations would be 97 mg/L. | Staff agrees and points out that this analysis supports staff's work to reduce imported chlorides and source reduction plan. Further, collaboration between CSDLA and the city could achieve the source reduction requirements described here with a successful result. The city's collaboration is necessary because they issue building permits and can enact emergency water supply ordinances. |
| County Sanitation Districts of Los Angeles County (Attachment 10) | 10/7/02 | The information presented in this report was prepared to assist the NWRI Panel with its independent study that satisfies the provisions set forth in California Health and Safety Code Section 116786 for local agencies seeking to control residential self-regenerating water softeners through the promulgation of local ordinances. The law mandates that such an ordinance must find that the local agency is not in compliance with waste discharge (permit) requirements issued by the applicable Regional Water Quality Control Board. In this case, because the Los Angeles Regional Water Quality Control Board has not yet adopted the chloride TMDL for the Santa Clara River, the specific waste load allocations and concomitant NPDES permit limits for the Saugus and Valencia WRPs are not known and have not yet been adopted. A | Staff appreciates this comment. It supports the merits of limiting the chloride source.<br><br>Staff agrees and points out that the adoption of the TMDL, as written, provides the legal basis for successful action by CSDLA..<br><br>Staff agrees and points out that with additional source water control or other measures, CSDLA have documented the potential success of a source reduction remedy. |

| Commentator | Date | Comment | Response |
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| | | reasonable assumption is that the resultant permit limits will approximate the 100 mg/L chloride objective for the Santa Clara River. Inasmuch as the current average chloride concentration in the wastewater from the two treatment plants is 168 mg/L. | |
| County Sanitation Districts of Los Angeles County (Attachment 10) | 10/7/02 | If all grandfathered residential SRWA (i.e., SRWS installed before January 1, 2003) and prospective residential SRWS were prohibited, the 2010, 2015 and 2050 final effluent chloride concentrations would be 97 mg/L. The information presented in this report was prepared to assist the NWRI Panel with its independent study that satisfies the provisions set forth in California Health and Safety Code Section 116786 for local agencies seeking to control residential self-regenerating water softeners through the promulgation of local ordinances. The law mandates that such an ordinance must find that the local agency is not in compliance with waste discharge (permit) requirements issued by the applicable Regional Water Quality Control Board. In this case, because the Los Angeles Regional Water Quality Control Board has not yet adopted the chloride TMDL for the Santa Clara River, the specific waste load allocations and concomitant NPDES permit limits for the Saugus and Valencia WRPs are not known and | Staff appreciates this comment. It supports the merits of limiting the chloride source.<br><br>Staff agrees and points out that the adoption of the TMDL, as written, provides the legal basis for successful action by CSDLA.. |

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| | | have not yet been adopted. A reasonable assumption is that the resultant permit limits will approximate the 100 mg/L chloride objective for the Santa Clara River. Inasmuch as the current average chloride concentration in the wastewater from the two treatment plants is 168 mg/L. | |
| County Sanitation Districts of Los Angeles County (Attachment 10) | 10/7/02 | The information presented in this report was prepared to assist the NWRI Panel with its independent study that satisfies the provisions set forth in California Health and Safety Code Section 116786 for local agencies seeking to control residential self-regenerating water softeners through the promulgation of local ordinances. The law mandates that such an ordinance must find that the local agency is not in compliance with waste discharge (permit) requirements issued by the applicable Regional Water Quality Control Board. In this case, because the Los Angeles Regional Water Quality Control Board has not yet adopted the chloride TMDL for the Santa Clara River, the specific waste load allocations and concomitant NPDES permit limits for the Saugus and Valencia WRPs are not known and have not yet been adopted. A reasonable assumption is that the resultant permit limits will approximate the 100 mg/L chloride objective for the | RWQCB appreciates this comment. It supports the merits of limiting the chloride source.<br><br>Staff agrees and points out that the adoption of the TMDL, as written, provides the legal basis for successful action by CSDLA.. |

| Commentator | Date | Comment | Response |
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| | | Santa Clara River. Inasmuch as the current average chloride concentration in the wastewater from the two treatment plants is 168 mg/L. The flow-weighted average chloride concentration by decade has remained relatively stable over the last 20 years; and the trend observed by the Regional Board between 1998 and 2000 appears to have been taken out of context with respect to the historical patterns that exist in the Santa Clara River Watershed. The trend observed between 1998 and 2000 is not unusual and has historically occurred nearly 20% of the time in the 1970-2000 data set. | |
| County Sanitation Districts of Los Angeles County (Attachment 11) | | 1999 LACSD Chloride Study | This information was considered by RWQCB staff in developing the TMDL. |
| County Sanitation Districts of Los Angeles County (Attachment 12) | | Memos on the Eastern Groundwater Basin | Staff appreciates the additional information and notes that groundwater is the source of the dilution effects reported by CSDLA and Newhall between the Valencia treatment plant and Blue Cut |
| County Sanitation Districts of Los Angeles County (Attachment 12) | 10/7/02 | A Mann-Kendall analysis was performed on the data to determine if trends existed. There were only one increasing chloride trend and two increasing nitrate trends from the time period of 1970-1998. Other short term time periods were also examined. The groundwater elevation trends may show | A Mann-Kendall analysis allows the exclusion of outlying points. This is not necessarily a superior assessment. Further, the presence of most increasing trends supports conservative and pro-active management actions. |

| Commentator | Date | Comment | Response |
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| | | where the water is recharging in the basin and where excess pumping is lowering the water table. There were many more decreasing trends than increasing trends calculated from the data. | |
| County Sanitation Districts of Los Angeles County (Attachment 13) | 10/7/02 | Evaluation of Chloride Contribution to the SCR-1998 Kennedy Jenks Report | Staff appreciates this additional copy of materials in our files for this action. |
| County Sanitation Districts of Los Angeles County (Attachment 14) | 10/7/02 | Chloride-Related Resolutions | Staff appreciates this additional copy of materials in our files for this action. |
| County Sanitation Districts of Los Angeles County (Attachment 15) | 10/7/02 | Basin Plan Objective History | Staff appreciates this summary, although it differs in substantial ways from our internal records and interpretation of the Basin Plan Objective History. |
| County Sanitation Districts of Los Angeles County (Attachment 16) | 10/7/02 | Newhall Letter (Declaring that avocados are not grown in Reaches 7 & 8 of the SCR) | Staff appreciates this additional copy of materials in our files for this action. |
| County Sanitation Districts of Los Angeles County (Attachment 17) | 10/7/02 | Transcript of December 7, 2000 RWQCB hearing on Chloride BPA | Staff appreciates this additional copy of materials in our files for this action. |
| County Sanitation Districts of Los Angeles County (Attachment 18) | 10/7/02 | Letters and Other Documents (subcategorized into TMDL, 303(d) List, and Triennial Review) | Staff appreciates this additional copy of materials in our files for this action. |
| County Sanitation Districts of Los Angeles County (Attachment 19A) | 10/7/02 | 1993 DWR Report on Investigation of Water Quality and Bus for Upper SCR Hydrogeologic Area | Staff appreciates this additional copy of materials in our files for this action. |

| Commentator | Date | Comment | Response |
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| County Sanitation Districts of Los Angeles County (Attachment 19B) | 10/7/02 | 1989 DWR Report on Update of Basin Plan for Piru Sespe, and Santa Paula Hydrogeologic Areas | Staff appreciates this additional copy of materials in our files for this action. |
| County Sanitation Districts of Los Angeles County (Attachment 20) | 10/7/02 | UC-Committee of Consultants Water Quality Guidelines for Agriculture | Staff appreciates this additional copy of materials in our files for this action. |
| County Sanitation Districts of Los Angeles County (Attachment 21) | 10/7/02 | Comments on Calleguas Creek Chloride TMDL and BPA | Staff appreciates this additional copy of materials in our files for this action. |
| County Sanitation Districts of Los Angeles County (Attachment 22) | 10/7/02 | Petition for Review of RWQCB's Resolution 00-20, 00-21 and 00-22 | Staff appreciates this additional copy of materials in our files for this action. |
| County Sanitation Districts of Los Angeles County (Attachment 23) | 10/7/02 | Peer Review Comments | Staff appreciates this additional copy of materials in our files for this action. |
| County Sanitation Districts of Los Angeles County (Attachment 24) | 10/7/02 | L.A. Times Article Pertaining to Avocado and Strawberry Crops | Staff appreciates this additional copy of materials in our files for this action. |
| County Sanitation Districts of Los Angeles County (Attachment 25) | 10/7/02 | The flow-weighted average chloride concentration by decade has remained relatively stable over the last 20 years; and the trend observed by the Regional Board between 1998 and 2000 appears to have been taken out of context with respect to the historical patterns that exist in the Santa Clara River Watershed. The trend observed between 1998 and 2000 is not unusual | Staff disagrees the concentration during the low flow period has been increasing for the last 3 decides. The magnitude of the high flow volumes has the effect of masking this disturbing trend. |

| Commentator | Date | Comment | Response |
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| | | and has historically occurred nearly 20% of the time in the 1970-2000 data set. | |
| County Sanitation Districts of Los Angeles County (Attachment 25) | 10/7/02 | An argument can be made that the 1998-2000 data was taken out of context with respect to the historical patterns observed in the Santa Clara River watershed and is really representative of the cyclic trends in the historical record. | The commentator assumes that the trends are naturally produced, so historic conditions apply, when in actuality the watershed is heavily managed and recently chloride levels have increased without a management plan to remove the effects of increasing chloride. |

# Comments from United States Environmental Protection Agency

| Commentator | Date | Comments | Response |
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| United States EPA | 10/4/02 | TMDL must be consistent with 303(d) listing segments | EPA issued their 303(d) list for 1998 and revised the reach names used by the Regional Board staff. Specifically, the chloride impaired reach EPA called Reach 7 is listed in RWQCB Basin Plan as Reach 5. Further, EPA's reach 8 is listed in RWQCB Basin Plan as Reach 6. Basin Plan Amendment language has been modified to clarify reach designations. |
| United States EPA | 10/4/02 | TMDL must meet existing applicable water quality standards | The TMDL is based on meeting the existing WQO 100 mg/L. |
| United States EPA | 10/4/02 | TMDL must address all major sources | The tentative Basin Plan resolution includes language that indicates upon renewal of NPDES permits for point sources, WLAs will be included in the permits.<br><br>The tentative resolution is revised to state that the nonpoint sources chloride loads are minor, and consequently, the TMDL does not presently allocate loads to nonpoint sources. If the results of the hydrological studies and watershed monitoring indicate that load allocations are required to meet water quality standards, the Regional Board will develop load allocations during its reevaluation of the TMDL. |
| United States EPA | 10/4/02 | Growth | TMDL waste load allocations are based on concentrations. The provision of mass based loads in the Staff Report are for illustrative purposes only. |
| United States EPA | 10/4/02 | Critical Conditions | The TMDL is structured to meet existing water quality objectives at all times including drought as represented in the historical record. <u>The reference in the staff report cited by EPA indicates that the TMDL address current critical conditions. Permitting actions can control reclaimed water systems which may deleteriously affect ground-water and ongoing monitoring will ensure that source and groundwater management changes with sufficient notice to allow revision of the TMDL.</u> |

# SANTA CLARA RIVER CHLORIDE TMDL

## RESPONSIVENESS SUMMARY: GENERAL COMMENTS

| | Commentator | Date | Comments | Response |
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| 1 | Water Quality and Pacific Water Quality Associations | | The current chloride TMDL is a step backwards from a process which- at one point two years ago-came close to resolution when LARWQCB board staff proposed setting chloride limits for Saugus and Valencia plants at 143 mg/l, with an instantaneous limit of 180 mg/l- figures which are still reasonable and relevant today. | The TMDL provides an implementation plan which includes studies by the dischargers to reevaluate the water quality objective. Regional Board staff note that not all stakeholders agree that chloride limits of 143 mg/L, with an instantaneous maximum of 180 mg/L, are relevant and reasonable. |
| 2 | Water Quality and Pacific Water Quality Associations | | Four years from now the conditions won't have changed significantly. The 'source reduction' efforts are too small to compete with chlorides built up through changes in source water, dry weather and population growth. The Board will still face whether to relax the chloride standards, as it did with the LA Tillman and Glendale WRPs seven | Other commentors have demonstrated that source reduction efforts would be sufficient. The in-stream chloride concentrations in four years are projected by staff and CSDLA to continue increasing with the significant new source being the higher market penetration of self-regenerating water softeners in new homes. |

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| | | | years ago, or force the county to construct expensive RO treatment at a cost that will surely uproot the economics of sewage treatment for businesses and residential consumers I the area. | |
| 3 | Water Quality and Pacific Water Quality Associations | | This growth itself will continue to result in more chlorides going into the wastewater. | Agree, growth will introduce more chloride load, but this increase is likely to be accompanied by additional source water supplies and thereby increase the assimilative capacity. |
| 4 | Water Quality and Pacific Water Quality Associations | | It presents no data concluding that strawberries and avocado growth has been materially hindered due to chloride levels in those reaches. Nor has it shown that the assimilative capacity of reaches addressed are exhausted. | The finding of impairment is based on exceedance of the water quality objective. The implementation plan provides a period for studies by dischargers to document the tolerance of agriculture to chloride. |
| 5 | Water Quality and Pacific Water Quality Associations | | Source reduction efforts suggested by the LARWQCB as ways of meeting the TMDL focus on individual households and are highly biased against the rate-payer, an inevitable outcome once regulatory agencies begin to restrict household's use of their own sewer and appliances, particularly when it restricts common, non-toxic | Regional Board staff notes information provided by other stakeholders showing the magnitude of chloride sources from residential sources, and the efficiency of controlling those sources. Chloride is toxic to agricultural crops and aquatic life at lower concentrations than those necessary to protect human life, yet these are equally important beneficial uses of the river water. |

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| | | | household discharges like chloride. | |
| 6 | Water Quality and Pacific Water Quality Associations | | We believe a broad, long-term approach is in the best interests of Santa Clarita Valley. To the extent that the TMDL process will provide more scientific data for long-term solutions, our associations applaud it. To the extent is proposes unrealistic chloride levels in the Santa Clarita Valley, we voice our dissent. | RWQCB agrees that the TMDL will provide more scientific data for long-term solutions. RWQCB notes that the Regional Board will reevaluate the chloride objective based on the results of the studies. |
| 1 | Camulos Ranch | 10/07/02 | We continue to farm nearly 400 acres of citrus and avocados all of which are chloride sensitive. We have over 300 acres of row crops being grown which are also sensitive to chlorides. Because of the variety of crops currently being grown as well as other crops that may be grown, we need to maintain both our surface and ground water from becoming impaired for the Camulos Ranch as well as our farming neighbors in Ventura County. | The TMDL supports the Agricultural Supply beneficial use. |
| 1 | Castaic Lake Water Agency | Dated | CLWA has recently completed a draft Recycled Water Master Plan which estimated to cost $69 million | The statements in the Preliminary Draft recognize the potential impact of future plans for reclaimed water. RWQCB suggests these impacts can be |

| | Commentator | Date | Comments | Response |
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| | | 8/14/02 | which estimated to cost $69 million (in 2002 dollars). Several statements in the Preliminary Draft (Section 2.1.2.2, second paragraph; Section 2.5.2, second paragraph) create significant uncertainty and risk regarding the viability of this investment, notwithstanding the policy of the State Water Resources Control Board (SWRCB) encouraging the use of recycled water statewide. | addressed during the Phase I studies. This TMDL does not discourage the use of reclaimed water but emphasizes that this discharge is like any other permitted use in the watershed in that it must be consistent with WQOs, beneficial uses and the goals of the TMDL. |
| 2 | Castaic Lake Water Agency | Dated 8/14/02 | CLWA and the local retail water purveyors have adopted an Urban Water management Plan (2000) that anticipates use of groundwater from the Saugus Formation within its estimated annual recharge rate, but allows operational extractions above this level in dry and multiple dry years. Historical extraction levels and recent analyses have confirmed the feasibility of this groundwater operation; however, recent extraction levels have been less than the annual recharge rate. Table 10 of the Preliminary Draft indicates the Regional Board assumes | RWQCB agrees. Local water supplier's groundwater operations can be incorporated in the Phase I studies which will be evaluated by the Regional Board. |

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| | | | groundwater utilization equivalent to the "safe yield." CLWA requests that the Regional Board incorporate local water suppliers' current groundwater operations in the development of the chloride TMDL and present the analysis in subsequent drafts. | |
| 3 | Castaic Lake Water Agency | Dated<br><br>8/14/02 | The Regional Board proposes reverse osmosis facilities, brine line, and ocean outfall through Ventura County as its ultimate solution if all else fails. CLWA believes this solution is economically infeasible as well as politically infeasible. A concept that is based on Ventura County accepting a brine line and ocean outfall from Los Angeles County is absolutely unrealistic. This would be an extremely expensive project, and has caused considerable local public concern about increased property taxes (hundreds of dollars per year per household). At best, the Regional Board's cost estimate is low by multiples, if not an order of magnitude. CLWA requests that the | RWQCB is precluded from specifying the manner of compliance. The discussion of RO/Brine Line is one manner which provides reasonable assurance that the WQO will be met. It is noted the costs used by the RWQCB are in line with costs for similar projects in the Calleguas Watershed. |

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| | | | Regional Board consider a more realistic solution. | |
| 4 | Castaic Lake Water Agency | Dated 8/14/02 | Regarding Source 3), at both the demand end and supply end, the water softening industry is moving away from canisters and toward self-regenerating units. Given that the number one consumer complaint in the Santa Clarita Valley the hardness of the water supply, it is unlikely that sufficient voluntary reduction of the softening process with take place. | RWQCB recognizes that voluntary measures to reduce residential chloride sources may be insufficient. The staff report discusses the cost effectiveness of providing incentives for consumers to reduce chloride sources |
| 1 | City of Santa Clarita | 9/30/02 | Thank you for providing a four year study period to evaluate the proper chloride threshold to protect beneficial uses. | Comment noted |
| 2 | City of Santa Clarita | 9/30/02 | Despite the changes made to the TMDL, the worst case scenario for the TMDL would still result in a 400% increase of sewage treatment rates for our residents, and our businesses could be impacted by even more that that 400%. | The costs for advanced treatment cited by the City are based on estimates that cannot be verified by staff from the City's or other dischargers' comments. |
| 3 | City of Santa Clarita | 9/30/02 | The City encourages the RWQCB to update the Basin Plan and the | A chloride objective based on verifiable results from Phase I will be evaluated by the Regional |

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| | | | update the Basin Plan and the TMDL to reflect a numeric limit of 230 mg/l for the chloride TMDL. | Board. |
| 4 | City of Santa Clarita | 9/30/02 | The inclusion of "if Applicable" on the Figure 10 Implementation Schedule for tasks V, VI, Vii and VIII seem to indicate a re-opener is optional and it should not be. The evaluation of the year four studies will be based on verifiable, scientific studies for protecting the agricultural beneficial use in the Santa Clara River. The results of the studies should be reviewed and action taken by the RWQCB, not just RWQCB staff. The City believes that public review of these studies before the RWQCB is applicable and necessary so the RWQCB may make an informed decision on Chloride limits in the Santa Clara River. | RWQCB agrees. The wording in the Staff Report and Tentative Basin Plan Amendment will be revised to reflect the TMDL's intent that the scientific studies will be evaluated by the Regional Board. |
| 5 | City of Santa Clarita | 9/30/02 | The chloride TMDL should provide some regulatory relief during drought conditions. | The TMDL provides interim limits during the Implementation Period. The Regional Board will reevaluate the chloride objective based on the Phase I studies. Drought relief provided in the 1990 resolution did not lead to reattainment of the WQO when source water returned to pre-drought |

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| | | | | concentrations, so this solution has failed in this watershed. |
| 6 | City of Santa Clarita | 9/30/02 | Efforts to reduce chloride levels in the Santa Clara River are already underway and consist largely of source reduction through eliminating commercial self regenerating water softeners and conducting outreach to the residents asking for voluntary removal of self regenerating water softeners. The good faith effort on the part of the community to implement this program before the TMDL has been approved should be a sign to the RWQCB that we are willing to make reasonable changes to protect our water resources. We cannot, however, support a course of action that requires our residents and businesses to shoulder a financial burden based on political expediency and a timeline in the negotiated TMDL settlement agreement on which we had no input. The worst case scenario option provided is not a viable option and would at best charge our residents twice the Los Angeles | The Regional Board recognizes the outreach efforts by the City. The TMDL proposes that the Regional Board reevaluate water quality objective before planning for advanced wastewater treatment is initiated. |

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| | | | County average. An increase of this type will financially harm local businesses as well as the residents of this community without solid, scientifically proven data showing the increase will benefit the environment. | |
| 1 | United Water Conservation District | 10/7/02 | At a number of public meetings Regional Board managers have voiced strong comments on antidegradation and assurances that the Board does not intend to allow weaker standards to accommodate the current levels of pollution. United strongly supports this view. | RWQCB notes that any reevaluation of the chloride water objective will be based on scientifically verifiable studies and in accordance with state and federal antidegradation policies. |
| 2 | United Water Conservation District | 10/7/02 | The proposed interim average monthly discharge limits of 200 mg/l chloride for the Saugus WRP and 187 mg/l for Valencia WRP are too high. Discharge concentrations have increased steadily over the past ten years under the guise of the "drought policy," while this same period was the wettest 10-year period on record for this area (Santa Paula gauge, 1992-2001). The dischargers, under the cover of the | RWQCB agrees that discharge concentrations have increased steadily. The proposed interim limit allows the dischargers to make meaningful efforts towards source control and advanced treatment, if needed |

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| | | | extended drought policy, have made no meaningful efforts towards chloride source control. The proposed interim limits let them off the hook again by adopting last year's averages as the new standard. | |
| 3 | United Water Conservation District | 10/7/02 | The chloride load from surface water recharging the Piru groundwater basin is tremendous, and over time may impair broad areas of the basin. We urge an accelerated implementation plan and aggressive standards to protect sensitive agriculture in Ventura County. Crop patterns in the valley are dynamic and currently in a state of flux. Over the past year citrus has been removed from significant acreage in the valley and replanted primarily with avocado and row corps. | RWQCB agrees that the chloride load from the Upper Santa Clara River can be expressed in downstream surface water and groundwater basins. Your preference for an accelerated implementation plan is noted. |
| 4 | United Water Conservation District | 10/7/02 | We urge that a conservative margin of safety be incorporated into the discharge limits that will remain protective of beneficial uses during drought period. Variances and special drought exceptions are | The margin of safety is based on conservative assumptions regarding flow during critical conditions. |

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| | | | bound to be contentious and difficult to regulate in at timely fashion. | |
| 5 | United Water Conservation District | 10/7/02 | United remains receptive to the recent Regional Board staff proposal to work with water purveyors to craft memorandums of understanding, which may be reflected as amendments to the Castaic Lake Water Agency Urban Water Management Plan and the United water Conservation District Master Plan, during the period of the hydrological technical study in the implementation plan. The agreements would further specify strategies and costs to manage influent salt concentrations, especially in drought. The agreements may include quantitative descriptions of the relationship between reservoir release plans and in-stream water quality problems and plans to respond to periods when the Santa Clara River may be at risk for chloride impairment. | RWQCB agrees and plans to work with water purveyors under the Phase I studies. |
| 1 | Newhall School District | 10/2/02 | Regional Board taking any action, it ensures that its decisions are based in sound science that has been | RWQCB agrees and this TMDL was subjected to peer review. Copies of the peer reviewers comments are available upon request. The wording |

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| | | | in sound science that has been subject to per review. Additionally, we urge the Board to commit in writing to a "re-opener clause" once data is presented necessitating a formal revisiting of this issue. | comments are available upon request. The wording in the Staff Report and Tentative Basin Plan Amendment will be revised to reflect the TMDL's intent that the scientific studies will be evaluated by the Regional Board. |
| 1 | Assemblymember Keith S. Richman | 10/3/02 | I would like to strongly encourage that the Regional Board ensure that its decisions are based in sound science that has been subject to peer review prior to taking any action. Additionally, I would urge the Board to commit in writing to a "re-opener clause" once data is presented which would allow for a formal revisiting of this issue. | RWQCB agrees and this TMDL was subjected to peer review. Copies of the peer reviewers comments are available upon request. The Staff Report and Tentative Basin Plan Amendment will be revised to reflect the re-opener clause. |
| | Newhall Land and Farming Company | 10/9/02 | . | RWQCB Staff notes that many of the comments provided by Newhall Land and Farming are identical to those submitted by CSDLAC. Responses to those comments are provided above in the responses to CSDLAC comments. The comments provided by Newhall that are not addressed by CSDLAC comments pertain to reclaimed water and water supply and are addressed below. |
| 1 | Newhall Land and Farming Company | 10/9/02 | The proposed TMDL is in conflict with the State's policy regarding the | The statements in the Staff Report recognize the potential impact of future plans for reclaimed water. RWQCB suggests these impacts can be addressed |

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| | Farming Company | | Use of Recycled Water | RWQCB suggests these impacts can be addressed during the Phase I studies. This TMDL does not discourage the use of reclaimed water |
| 2 | Newhall Land and Farming Company | 10/9/02 | The proposed TMDL does not adequately consider growth for future waste load allocations. | The TMDL uses concentration-based WLAs. RWQCB assumes that future growth will be accompanied by increased flow. |
| 3 | Newhall Land and Farming Company | 10/9/02 | We estimate, based on preliminary flow balance information used by Systech for the Nutrient TMDL, as well as model output data provided by Ch2M Hill, that dry season rising groundwater flows range from about 3 to 15 cfs in these reaches. This certainly would imply much greater assimilative capacity is available in the River that what is estimated in the TMDL. | RWQCB notes that the discharger states the information is preliminary. The information cited by Newhall can be used in the Phase I studies which will be evaluated by the Regional Board. |
| 4 | Newhall Land and Farming Company | 10/9/02 | "Potential remedies could increase the available assimilative capacity of the Upper Santa Clara River." This statement is unclear; examples should be given for methods of increasing the assimilative capacity for chloride in the River. | RWQCB agrees. Please see revised staff report. |
| 5 | Newhall Land and Farming Company | 10/9/02 | "Increased groundwater extraction or diversion could similarly remove | The TMDL critical condition is based on a minimal, but defined, flow from groundwater sources. Staff |

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| | Farming Company | | or diversion could similarly remove flows necessary to dilute permitted discharge. | notes that groundwater extraction can affect the flow of groundwater to surface water. This phenomenon will be studied during Phase I and evaluated by the Regional Board. |
| 6 | Newhall Land and Farming Company | 10/9/02 | This fact suggests that the problem of increasing chloride levels in the Santa Clara River is exclusively a surface water issue, and, therefore, any claims related to groundwater basin management should be left out of the TMDL. | RWQCB suggests that a more recent subset of groundwater data shows an increasing trend of chloride concentrations. See Response to Comment to October 7 2002 letter from County Sanitation Districts of Los Angeles concerning groundwater effects.. |
| 7 | Newhall Land and Farming Company | 10/9/02 | Minor Comments<br><br>Table 1. Notations ** and *** should state where samples were taken, what sample period are represented and what statistical value is shown (e.g, mean?)<br><br>Page 13. The average effluent flow rate of the 5 major NPDES dischargers, according to the second paragraph on page 13, “exceeds 0.5 MGD.” This value is dramatically lower that what it should be given that Saugus, Valencia, Fillmore and Santa Paula WRPs each discharge | Agreed. Please see revised staff report. |

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| | | | on average 5.7, 9.2, 0.2 and 2 MGD, respectively.<br><br>References. Many references are missing. E.g., Marshack, 2001 (p.18); Slade, 1986 (various citations throughout text); Jones, 1990 (p. 20); Zone Mutual Water District, 1990(p.20); Santa Clarita Valley Report, 1998 (p.36, table 10). In addition, the TMDL should reference the most recent 2002 Slade report that identifies increased size of the Saugus Formation. | |